

**REMARKS**

Claims 33-55 are now in this application. Claims 1-32 were previously canceled herein. Claims 43, 53 and 55 are amended herein to clarify the invention and to address matters of form unrelated to substantive patentability issues.

The Office Action requires election of a species from the following: Group I, drawn to Fig. 1; Group II, drawn to Fig. 2; Group III, drawn to Figs. 3a and 3b; and Group IV, drawn to Figs. 3a and 3c. Applicant elects Group I drawn to Fig. 1.

Presently, the claims are viewed as readable upon the recited groups as presented in the table below:

GROUP	CLAIMS READABLE ON GROUP
I	33, 35, 38/33, 38/35, 39/33, 39/35, 40/33, 40/35, 41/33, 41/35, 42/33, 42/35, 43, 44-51, 54 and 55
II	33-35, 38/35, 39/33-35, 40/33-35, 41/33-35, 42/33-35, 43, 44, 46, 47, 49-51, 54, 55
III	35-37, 38/35-37, 39/35-37, 40/35-37, 41/35-37, 42/35- 37, 43-45, and 47-55
IV	35-37, 38/35-37, 39/35-37, 40/35-37, 41/35-37, 42/35- 37, 43, 44, 47, and 49-55

Claims 35, (38-42)/35, 43, 44, 47, 48-51, 54 and 55 are generic.

Applicant traverses the restriction on the grounds that the restriction is improper because it is asserted under 35 USC §121 and therefore applies an incorrect standard. The present application is a National Stage PCT Application filed under 35 USC §371. Accordingly, restriction is not required where a unity of invention exists among the claims. PCT Rules 13.1 and 13.2 are to be followed in making a unity of invention determination without regard to restriction practice in applications filed under 35 USC §111. MPEP §1850. Unity of invention is demonstrated by the above noted generic claims. There is a common technical

relationship among the claimed inventions involving at least one special technical feature which is sufficient to establish unity of invention. Each of the claims includes first and second conical portions with the second conical portion having a larger angle than the first conical portion. Should the restriction requirement not be withdrawn, applicant respectfully requests that a further action applying the correct standard be issued.

Furthermore, applicant traverses the restriction requirement as applied to Groups I-IV on the grounds that the species are so closely related that a search in either group would essentially be identical. Such a search, being substantially identical, dictates that prosecution of a divisional application resulting from the restriction would result in a duplication of effort by personnel of the Patent Office.

Should the restriction requirement not be withdrawn, Applicant reserves the right to file a Divisional application at a later date on the non-elected claims. Accordingly, reconsideration of the restriction requirement and favorable action on the merits of this application are respectfully requested.

In view of the above, reconsideration and withdrawal of the restriction requirement are respectfully requested.

In light of the foregoing, the application is now believed to be in proper form for allowance of all claims and notice to that effect is earnestly solicited. Please charge any deficiency or credit any overpayment to Deposit Account No. 10-1250.

Respectfully submitted,  
Jordan and Hamburg LLP

By C.B.Hamburg  
C. Bruce Hamburg  
Reg. No. 22,389  
Attorney for Applicants

*by* and,

By H.F.Ruschmann  
Herbert F. Ruschmann  
Reg. No. 35,341  
Attorney for Applicants

Jordan and Hamburg LLP  
122 East 42nd Street  
New York, New York 10168  
(212) 986-2340